

Casefile: FF097384
Incident LM18002753_____

SETTLEMENT AGREEMENT – FDO FUEL SPILL REHABILITATION

This agreement is entered into by Defendant, Cody J. Roberts, of 3670 Geraghty Ave APT #6, Fairbanks, AK 99709 and the Bureau of Land Management (BLM) Fairbanks District Office (FDO) at 222 University Ave, Fairbanks, AK 99709, to resolve issues of an alleged unauthorized use, a petroleum product fuel spill, by Cody Roberts. I hereby acknowledge that the responsible party for the spill listed below is Cody J. Roberts and is located on public lands managed by the BLM without authorization. I, Cody J. Roberts, agree to the following terms to resolve the current trespass liability on the following described lands:

I. **Legal Description:**

Township 1 South, Range 1 West, Section 7, lots 63 and 69.
Main parking lot of the Fairbanks and Arctic District Offices of the Bureau of Land Management, 222 University Avenue, Fairbanks, AK 99709.

II. **Settlement: \$3,746.46** (Labor and administrative costs through January, 2018).

() Payment in full, receipt of which is hereby acknowledged, check no. _____.

() Individual will pay the full amount on _____ (date).

(*gr*) Individual will pay the full amount by 7-5-18 (date), *\$660 Monthly by 25th of the Month* with the option to pay equal monthly installments of \$ *660 Monthly by 25th of the Month*

III. **Resolution:**

Termination. Upon payment of the settlement, the trespass action shall be suspended pending verification of rehabilitation. Upon verification and payment of any additional liabilities accrued the case shall be closed. Nothing in this agreement shall be construed as to absolve Cody Roberts from full liability if this agreement is breached.

Upon the payment and closure of the trespass casefile, the defendant will be charged the minimum fine of \$150 as defined in the current and adopted bail/forfeiture schedule signed 15 January 2013.

IV. **Failure to meet the terms of this agreement:**

Failure to meet the terms of this agreement may result in additional penalties. In the advent of a failure to comply by the above dates, the BLM may take further actions by seeking a court ordered restitution payment and/or charge the defendant with a Class A Misdemeanor criminal charge as stated in 43 CFR 8365.1-1b(3) and be subject to the sentencing guidelines therein. 43 CFR 8365.1-1. (b) On all public lands, no person shall, unless otherwise authorized:

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3. Drain sewage or petroleum products or dump refuse or waste other than wash water from any trailer or other vehicle except in places or receptacles provided for that purpose.

43 CFR 8360.0-7 Penalties.

Violations of any regulations in this part by a member of the public, except for the provisions of 43 CFR 8365.1-7, are punishable by a fine not to exceed \$1000 and/or imprisonment not to exceed 12 months.

See attached:
Cost to BLM sheet
CBS Trespass Bill

Cody Roberts
Print Name

Cody Roberts
Signature

2-1-18
Date

Adam Carr
Adam Carr, Eastern Interior Field Manager

2/1/18
Date

The United States Attorney's Office approves the terms of the Settlement with Cody Roberts of the fuel-spill as stated above by the Bureau of Land Management. If Mr. Roberts rejects the BLM's proposed settlement terms, or agrees to those terms but violates them, or if he otherwise fails to comply with them, this office retains the option to charge Mr. Roberts with such law violations as may be supported by the evidence regarding this fuel-spill, and in that event none of the above-offered or stated terms will be binding on the United States in any such case. This agreement covers only the fuel spill and not any other matters, potential charges or cases.

Date: January 31, 2018

/s/ Stephen Cooper
Stephen Cooper
Assistant United States Attorney
101 12th Avenue, #310
Fairbanks, Alaska 99701